IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5698 OF 2005

Vivak D. Dharma ...Applicant
vs.
The Senior Inspector of
Police and another ...Respondents

Mr.R.D.Soni i/b M/s.ram & Co. for the Applicant
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 2,2005

P.C.:

1. Heard Advocate for the Applicant and learned A.P.P. for State. The Applicant has not approached the Sessions court by filing an application for anticipatory bail. The learned Counsel for the Applicant states that the Applicant has an apprehension that he will be immediately arrested if he goes to Pune for filing the application for anticipatory bail.

2. Considering the facts and circumstances of the case the Applicant deserves to be protected for a limited period to enable him to approach the Sessions Court at Pune.

3. Hence, the Application is disposed of by passing the following order :

i) For a period of one week from today, the Applicant shall not be arrested on the basis of the order dated 26th July 2005

passed by the learned Judicial Magistrate (F.C.), Pimpri (Page No.31) subject to compliance with conditions incorporated under Sub Section 2 of Section 438 of the Code of Criminal Procedure, 1973. In the meanwhile, the Applicant will be free to file an application before the appropriate Court.

ii) If an Application is made by the Applicant to the Sessions Court, the same will be decided on its own merits without being influenced by the limited protection granted by this Court.

iii) Parties to act upon an authenticated copy of this order.

JUDGE